

Application/Control Number: 09/821,423  
Art Unit: 2178

Docket No.: PALM-3575

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

By this amendment, claims 1-4, 6, 9, 12-15, 18-21, 23 and 26 remain pending, claims 1, 6, 9, 12, 14, 15, 18 and 26 having been amended, and claims 5, 7, 8, 10, 11, 16, 17, 22, 24, 25, 27 and 28 having been canceled without prejudice or disclaimer.

#### **Rejection of Claims 1-3 and 18-20**

On page 2 of the Final Office Action of January 27, 2005, the Examiner rejected claims 1-3 and 18-20 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 5,608,850 to Robertson in view of U.S. Patent No. 5,699,089 to Murray. Applicants submit that the amended claims obviate the rejection.

Amended independent claim 1, is directed to a method of record selection for selecting multiple non-contiguous groups of contiguous record entries. The method includes, among other things, selecting a first contiguous group of the record entries and after performing the selecting of the first contiguous group of the record entries, selecting a second contiguous group of the record entries, the second contiguous group of the record entries being non-contiguous to the first contiguous group of the record entries. The selecting of the second contiguous group of the record entries includes selecting of a third record entry of a second contiguous group of the record entries, where the selecting the third record entry includes marking a second start point on the third record entry by recognizing only a second contact point on said display upon which physical contact is made with said display, the third record entry being non-contiguous to the first contiguous group of record entries, and recognizing a contiguous displacement of said second contact point on said display horizontally across the third record entry to a second end point.

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Amended claim 1 is similar to canceled claim 10. On page 8 of the Final Office Action, the Examiner admitted that Robertson, Murray and U.S. Patent No. 6,240,167 to Michaels fail to disclose or suggest selecting multiple groups of contiguous record entries as defined by canceled claim 10. Therefore, because amended claim 1 recites features similar to those of canceled claim 10, Applicants submit that Robertson and Murray do not disclose or suggest the features of amended claim 1.

On page 8 of the Final Office Action, the Examiner alleged that Chester et al., "Mastering Excel 97", 1997, Sybex, 4<sup>th</sup> Edition, pages 66-67 ("Chester") discloses or suggests selecting multiple ranges when the CTRL key is held on. However, amended claim 1, recites after performing the selecting of the first contiguous group of the record entries, selecting a second contiguous group of the record entries, the second contiguous group of the record entries being non-contiguous to the first contiguous group of the record entries. The selecting of the second contiguous group of the record entries includes selecting a third record entry of a second contiguous group of the record entries. The selecting the third record entry includes marking a second start point on the third record entry by recognizing only a second contact point on said display upon which physical contact is made with said display, the third record entry being non-contiguous to the first group of record entries. Thus, to select the third record entry, a second start point is marked on the third record entry by recognizing only the second contact point. That is, there is no requirement to recognize anything else, such as, for example, the pressing of a CTRL key, as disclosed by Chester. Because Chester requires the pressing of the CTRL key when selecting a second group, Chester, either separately, or combined with any of Robertson, Murray and Michaels fails to satisfy the requirements of claim 1.

For at least the reasons discussed above, Applicants respectfully request that the rejection of claim 1 and dependent claims 2 and 3 be withdrawn.

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Claim 18 is directed to a computer system and recites features similar to those of claim 1. Applicants submit that claim 18 and dependent claims 19 and 20 are patentable over Robertson and Murray at least for reasons similar to those discussed with respect to claim 1 and respectfully request that the rejection of claims 18-20 be withdrawn.

#### **Rejection of Claims 4 and 21**

On page 4 of the Final Office Action, the Examiner rejected claims 4 and 21 under 35 U.S.C. 103(a) as allegedly being unpatentable over Robertson in view of Murray. Applicants submit that amended claims 1 and 18 obviate the rejection.

Claims 4 and 21 depend from claims 1 and 18, respectively, and are patentable for at least the reasons discussed above with respect to claims 1 and 18. Therefore, Applicants respectfully request that the rejection of claims 4 and 21 be withdrawn.

#### **Rejection of Claims 5 and 22**

On page 5 of the Office Action, the Examiner rejected claims 5 and 22 under 35 U.S.C. 103(a) as allegedly being unpatentable over Robertson in view of Murray and further in view of U.S. Patent No. 6,240,167 to Michaels. Applicants canceled claims 5 and 22 without prejudice or disclaimer. Therefore, Applicants respectfully request that the rejection be withdrawn.

#### **Rejection of Claims 6 and 23**

On page 5 of the Office Action, the Examiner rejected claims 6 and 23 as allegedly being unpatentable over Robertson in view of Murray and Michaels and further in view of U.S. Patent No. 6,396,474 to Johnson, Jr. et al. ("Johnson"). Applicants submit that amended claims 1 and 18 obviate the rejection.

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Claims 6 and 23 depend from claims 1 and 18, respectively, and are patentable over Robertson in view of Murray for at least the reasons discussed above with respect to claims 1 and 18. Michaels and Johnson fail to satisfy the deficiencies of Robertson and Murray. Therefore, Applicants respectfully request that the rejection of claims 6 and 23 be withdrawn.

### **Rejection of Claims 12-13**

On page 9 of the Office Action, the Examiner rejected claims 12 and 13 under 35 U.S.C. 103(a) as allegedly being unpatentable over Robertson, in view of Murray, and further in view of Michaels. Applicants submit that amended claim 12 obviates the rejection.

Amended independent claim 12 is directed to a method of record selection for selecting non-contiguous record entries. The method includes, among other things, recognizing only pressure captured on a digitizer marking a first start point on a first record entry, and recognizing only pressure captured on a digitizer marking a second start point on a second record entry, the second record entry being non-contiguous to the first record entry. That is, claim 12 requires that only the pressure captured on a digitizer is recognized to mark a first start point on a first record entry and only the pressure captured on a digitizer is recognized to mark a second start point on a second record entry. Claim 12 does not require any other recognition, such as, for example, the pressing of a CTRL key, to mark a first start point on a first record entry or to mark a second start point on a second record entry.

Applicants submit that Robertson, Murray and Michaels fail to disclose or suggest, either separately or in any combination, a method of record selection, where in the method includes, among other things, recognizing only pressure captured on a digitizer marking a first start point on a first record entry, and recognizing only pressure captured on a digitizer marking a second start point on a second record entry, the second record entry being non-contiguous to the first

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record entry. Therefore, Applicants respectfully request that the rejection of claim 12 and dependent claim 13 be withdrawn.

#### **Rejection of Claims 7-11 and 24-28**

On page 6 of the Office Action, the Examiner rejected claims 7-11 and 24-28 as allegedly being unpatentable over Robertson, in view of Murray, in further view of Michaels, and in further view of Chester et al., "Mastering Excel 97, 1997, Sybex, 4<sup>th</sup> Edition, pages 66-67 ("Chester"). Claims 7, 8, 10, 11, 24, 25, 27 and 28 have been canceled without prejudice or disclaimer, thereby making the rejection of claims 7, 8, 10, 11, 24, 25, 27 and 28 moot. Applicants, therefore, respectfully request that the rejection of claims 7, 8, 10, 11, 24, 25, 27 and 28 be withdrawn. Applicants submit that amended claims 1 and 12 obviate the rejection.

Claims 9 depends from claim 1. Claim 9 is patentable over Robertson in view of Murray for at least the reasons discussed above with respect to claim 1. As discussed above with respect to claim 1, Michaels and Chester also fail to satisfy the deficiencies of Robertson and Murray. Therefore, Applicants respectfully request that the rejection of claim 9 be withdrawn.

Claim 26 depends from independent claim 12 and is patentable over Robertson, Murray and Michaels for at least the reasons discussed with respect to claim 12. Chester requires the recognition of a pressed CTRL button in order to select multiple records, whereas claim 12 requires recognition of only pressure captured on a digitizer to mark a first start point on a first record entry and recognition of only pressure captured on a digitizer to mark a second start point on a second record entry. Therefore, Chester also fails to satisfy the deficiencies of Robertson, Murray and Michaels. Therefore, Applicants respectfully request that the rejection of claim 26 be withdrawn.

#### **Rejection of Claims 14-17**

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On page 10 of the Final Office Action, the Examiner rejected claims 14-17 under 35 U.S.C. 103(a) as allegedly being unpatentable over Robertson, Murray, Michaels and Chester. Claims 16 and 17 were canceled without prejudice or disclaimer, thereby making the rejection of these claims moot. Therefore, Applicants respectfully request that the rejection of claims 16 and 17 be withdrawn.

Claims 14 and 15 depend from claim 12, which is patentable over Robertson, Murray and Michaels for at least the reasons discussed with respect to claim 12. Applicants submit that Chester fails to satisfy the deficiencies of Robertson, Murray and Michaels. Therefore, Applicants respectfully request that the rejection of claims 14 and 15 be withdrawn.

### CONCLUSION

Having addressed the rejection of claims 1-28, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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